

10.08.2026
Item No.5 (DL)
Court No.7
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 17979 of 2026

Hemanta Mondal

-Vs-

The State of West Bengal & Ors.

Mr. Dyutiman Banerjee,

Mr. Debjit Dutta.

... for the petitioner.

Mr. Kanak Kiran Bandyopadhyay.

... for the WBSEDCL.

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner complains of arbitrariness on the part of the respondent WBSEDCL Authorities in not fully complying with the order dated September 21, 2023 passed by the District Magistrate, South 24-Parganas.

3. Learned Advocate appearing for the petitioner submits that by the order dated September 21, 2023 the District Magistrate, South 24-Parganas had directed the WBSEDCL Authorities to shift the pole that had been erected within the boundary wall of the petitioner to a place outside thereof. It is submitted that although the pole has been shifted in terms of the said direction, the live electric wires have been left hanging therefrom in the petitioner's property posing a threat of electrocution.

4. Learned Advocate appearing for the respondent WBSEDCL Authorities submits that the pole has been shifted in terms of the order dated September 21, 2023 passed by the District Magistrate, South 24-Parganas and no live wire is hanging as alleged by the petitioner. It is further submitted that the electric line supported by the pole crosses over/passes over a common passage and the same does not pass over/cross over the petitioner's property.

5. The respondent WBSEDCL Authorities shall file a report in the form of an affidavit indicating the actual position of the pole as well as the electric line passing overhead with the support of the pole. The report would specify as to whether the electric line is crossing over/passing over the petitioner's property or any live wire is hanging and if the electric line is so passing/crossing over the petitioner's property whether the same has happened due to the shifting of poles.

6. Let such report be filed within two weeks from date.

7. A copy of the report shall be served upon the petitioner immediately after affirmation thereof. The petitioner shall be entitled to file exception thereto within a week thereafter.

8. List this matter on September 09, 2026.

(Om Narayan Rai, J.)